

# Which is it: Fund schools first or fund mental health now?

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Western State Hospital in Lakewood

PETER HALEY — Staff file photo, 2013 [Buy Photo](#)

Brace for a crash. Two big state court decisions are on a collision course with each other.

In its 2012 McCleary decision, the Washington Supreme Court rightly concluded that the Legislature had been underfunding the public schools. Lawmakers had failed to make “ample provision” for the education of all children, as mandated by the state constitution.

That finding was indisputable. More controversial was the court’s appointment of itself to supervise the Legislature’s budget-writing from year to year.

It ordered lawmakers to get all the way to “ample provision” by 2018, which will require billions in additional school spending in a few years. Lawmakers have been hunting high and low for the

money. Gov. Jay Inslee has told state agencies to identify ways to carve as much as 15 percent out of their budgets to help meet the mandate.

The problem is, the state does a lot more than just schools. The lives of many desperate people depend on other state services. Among them are the severely mentally ill.

Like public education, psychiatric care is underfunded – only more so. All schoolchildren have access to a classroom in this state, but many people suffering dangerous episodes of psychosis don't have access to therapy, which often requires care in psychiatric hospitals or treatment centers. Until the last couple years, the Legislature had been stripping funding from mental health care and eliminating beds at Western State and other places with roofs, meals and specialists.

One result has been the large-scale practice of “psychiatric boarding” – confining distressed people in ordinary emergency rooms until someone finds a place for them in a real mental health facility. This happens to thousands of patients every year. Some may be held in conventional hospitals for weeks before a psychiatric bed opens up.

On Thursday, the patients won a McCleary-like decision of their own. The state supreme court ruled unanimously that no one could be warehoused in an emergency room for no better reason than the lack of an available mental health bed.

The system is now in crisis. The patients in question are held because they pose an immediate danger to themselves or others. One of two things must happen. Either they must be put back on the street without treatment, or else the state and counties must come up with the necessary beds.

And psychiatric beds are expensive – precisely the reason the Legislature has tried to eliminate them. A genuinely adequate mental health system would cost hundreds of millions of dollars more than lawmakers are now paying.

Hanging over all this is the McCleary mandate. The court wants school funding stepped up so quickly that all other state services face potential cuts. At the same time, it has ordered expanded services for the mentally ill, more or less immediately.

This amounts to a double bind. The court itself has now effectively given emergency psychiatric care the same legal urgency as basic education funding. Without new taxes – which Washingtonians have repeatedly rejected – it's not clear how lawmakers can do justice to either. Something has to give. If nothing else, the conflicting mandates may help the justices realize how hard it is to write a state budget.

Read more here: <http://www.thenewstribune.com/2014/08/12/3326616/which-is-it-fund-schools-first.html?sp=/99/447/#storylink=cpy>